

U.S. Application No. 09/539,972
Attorney Docket No. 99-837 RCE 1
Customer No. 32,127

REMARKS

In the final Office Action, the Examiner rejected claims 1 and 3 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,532,241 to Ferguson et al. ("Ferguson") in view of U.S. Patent No. 6,163,544 to Andersson et al. ("Andersson"); and rejected claims 4-8, 17, and 18 under 35 U.S.C. §103(a) as unpatentable over Ferguson in view of Andersson, and further in view of U.S. Patent No. 5,926,463 to Ahearn et al. ("Ahearn").

Applicants filed an Amendment After Final on February 14, 2005. However, in an Advisory Action dated March 10, 2005, the Examiner indicated that the Amendment After Final would not be entered.

By this amendment, Applicants amend claims 1, 3, and 16-18. Applicants note that the above amendments are similar to the amendments submitted in the Amendment After Final. However, the recitation of "wherein the customer is an entity selected from the group consisting of natural persons, companies, organizations, and enterprises" has been changed to "wherein the customer is an entity of a type selected from the group consisting of a natural person, a company, an organization, and an enterprise." Applicants also submit a Request for Continued Examination (RCE) concurrently herewith. Claims 1, 3-8, and 16-18 remain pending in this application. In view of above amendments and the following remarks, Applicants respectfully traverse the Examiner's rejections of the claims under 35 U.S.C. §103(a).

To establish a prima facie case of obviousness, three basic criteria must be met. First, the prior art reference as modified must teach or suggest all the claim elements. (See M.P.E.P. 2143.03 (8th ed. 2001)). Second, there must be some suggestion or

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motivation, either in the reference or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the reference teachings. (See M.P.E.P. 2143 (8th ed. 2001)). Third a reasonable expectation of success must exist. Moreover, each of these requirement must "be found in the prior art, and not be based on applicant's disclosure." (M.P.E.P. 2143.03 (8th ed. 2001)).

Claim 1, as amended, provides for:

A method for customer centric network management comprising the steps, performed by a processor, of:

receiving identification data corresponding to a customer in a network, wherein the customer is an entity of a type selected from the group consisting of a natural person, a company, an organization, and an enterprise;

accessing a generic information model database for one or more customer records corresponding to the customer identification data;

receiving selection information identifying a selected one of the one or more customer records, wherein the selected customer record corresponds to the customer; and

providing actual circuit path information corresponding to a customer service based on the selected customer record, wherein the actual circuit path information is used to generate a graphical representation of heterogeneous network components supporting a specific service for the customer.

The Examiner rejected claims 1 and 3 under 35 U.S.C. 103(a) as unpatentable over *Ferguson* in view of *Andersson*. With respect to claim 1, the Examiner alleged that *Ferguson* discloses: "receiving identification data corresponding to a customer in a network; accessing a database for one or more customer records corresponding to the customer identification data; receiving selection information identifying a selected one of the one or more customer records, wherein the selected customer record corresponds to the customer; and providing actual circuit path information corresponding to a customer service based on the selected customer record, wherein the actual circuit path information is used to generate a graphical representation of heterogeneous network components supporting a specific service for the customer" (Office Action, pg. 2-3).

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The Examiner, however, is apparently equating "customer" with a network component.

Ferguson discloses a technique for identifying a data session flowing through entities of a multi-protocol network based on information contained within a service request provided by a user of the network (*Ferguson* abstract). The entities of the network comprises a System Network Architecture ("SNA") host mainframe, an end station and intermediate stations (*Ferguson* col. 8, lines 32-34). The technique uses search criteria to filter SNA sessions, the search criteria comprising various attributes of network components in the SNA (col. 8, line 57-col. 9 line 8; col. 12 lines 28-36; fig. 8).

In contrast to the method of claim 1, which corresponds the identification data "to a customer in a network," *Ferguson* ties the identification data to a network component. Unlike the claimed invention, *Ferguson* does not teach "receiving data corresponding to a customer, wherein the customer is an entity of a type selected from the group consisting of a natural person, a company, an organization, and an enterprise; accessing a database for one or more customer records corresponding to the customer identification data; receiving selection information identifying a selected one of the one or more customer records, wherein the selected customer record corresponds to the customer; and providing actual circuit path information corresponding to a customer service based on the selected customer record, wherein the actual circuit path information is used to generate a graphical representation of heterogeneous network components supporting a specific service for the customer."

The Examiner uses *Andersson* to allege a disclosure of storing information according to a generic information model. Even if the Examiner's characterization is

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correct, *Andersson's teaching is directed to network components* and does not provide for "receiving identification data corresponding to a customer in a network, wherein the customer is an entity of a type selected from the group consisting of a natural person, a company, an organization, and an enterprise."

Because claims 3 and 16 are independent claims with recitations similar to those of claim 1, they are allowable over *Ferguson* in view of *Andersson*, for at least the reasons discussed above with respect to claim 1.

With regard to the Examiner's rejections of claims 4-8 and 17-18 under 35 U.S.C. 103(a) as unpatentable over *Ferguson* in view of *Andersson* and further in view of *Aheam*, Applicants respectfully traverse these rejections as well.

Claims 17 and 18 are independent claims with recitations similar to those of claims 3 and 1, respectively, which are not taught by either *Ferguson* or *Andersson*, as discussed above. Applicants respectfully submit that *Aheam* is not sufficient to overcome the deficiencies of *Ferguson* and *Andersson*. *Aheam* discloses "a method and apparatus for viewing a configuration of a computer network" (*Aheam* abstract). Devices in the network may be "graphically displayed according to physical connectivity and status" (*Aheam* abstract). A network supervisor may use the system to create an "IP view of a network" that "shows all of the devices and links between a particular workstation and a particular server" (See *Aheam* col. 6 lines 23-33; fig. 1). Thus, *Aheam's teaching, also, is directed to network components*. Therefore, *Aheam* does not teach or suggest "receiving identification data corresponding to a customer in a network, wherein the customer is an entity selected from the group consisting of a natural person, a company, an organization, and an enterprise." Therefore, claims 17

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and 18 are allowable not only for the reasons stated above with regard to independent claims 3 and 1, respectively, but also for their own additional features that distinguish them from *Ferguson, Andersson, and Ahearn*.

Moreover, dependent claims 4-8 are allowable not only for the reasons stated above with regard to their allowable base claim 3, but also for their own additional features that distinguish them from *Ferguson, Andersson, and Ahearn*.

In view of the foregoing remarks, Applicants submit that the claimed invention is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Finally, Applicants note that the Office Action dated October 14, 2004 and the Advisory Action dated March 10, 2005, contain a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is discussed herein, Applicants decline to automatically subscribe to any such statement or characterization.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 07-2339 and please credit any excess fees to such deposit account.

Respectfully submitted,

VERIZON CORPORATE SERVICES
GROUP, INC.

Dated: April 14, 2005

By: _____


Joel Wall
Reg. No. 25,648